CITIES UNDER PLANNING SIEGE:
THE PALESTINIAN CASE

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ABSTRACT

Rapid urbanization and city sprawl are a phenomenon that exists all over the world. Today, the majority of the world's population lives in cities, and the processes and trends of city growth continue to evolve. Rapid growth leads urban planners and managers to develop various strategies, policies, mechanisms, and tools aimed at securing city sustainability and resilience. When cities are located in geopolitical conflict zones, the urban growth strategies are often layered by geopolitical strategies and the results fall far short of meeting sustainability and resilience criteria, let alone the needs of the local expanding populous. The cases examined are Palestinian cities' expansion located in Area C. This area, determined under the Oslo II Accord, constitutes 60% of the West Bank, and is still under full Israeli occupation, including land management and spatial planning. The contradictory spatial planning imposed by the Israeli government in Area C reflects the asymmetric power structure and a sophisticated matrix of control that disrupts urbanization processes in Palestinian cities. Israel's use of statutory restrictive planning inflicts geopolitical territorial limitations on these Palestinian cities. These limitations lead to false urbanization, assure socio-economic dependency, and generate untenable development, which affect both the regional and national Palestinian scales. Although a number of cities are referred to for purposes of illustration, the case study focus is on the Palestinian city of Qalqilya, where the author headed the City's planning team. In this situation, Israel, as the occupier, uses building permits as an effective instrument to hold urban development under a state of siege. The paper will discuss the notion of planning siege and will shed light on Palestinian cities.
Keywords: urban planning, urbanization, Palestinians, Israelis, West Bank occupation, Qalqilya.

1 INTRODUCTION

The 21st century is defined as the urban century. Most of the world's population will inhabit cities. This global transformation has also occurred in Palestine. According to the Palestinian Central Bureau of Statistic, in 2016, 83.4% of the Palestinian population lives in urban localities. The process of rapid urbanization includes high natural birth rates and accelerated growth in cities, towns and the transformation of rural communes into towns. Palestinian urbanization has some different components compared with other places in the world; chief among them is related to the Israeli occupation of the Palestinian Territory (PT), which includes the West Bank (WB), the Gaza Strip (GS) and East Jerusalem\al Quds. This military occupation creates a territorial and functional siege on the urbanization process. Palestinian urbanization occurred therefore under imposed limitations, using spatial planning to restrict urban sprawl. This regulated spatial planning espoused building permits and land titles as official instruments to restrict and control Palestinian urbanization.

This paper presents a short critical description and analysis of urbanization in the PT and discusses urban planning policies and actions that contribute to the territorial and functional siege of the Palestinian localities. It will shed light on the murkiness of planning policies and practices as exemplified by the case of the city of Qalqilya. The paper is based on data collected by the author during 2012–2017, in his capacity as head of the master plan planning team for Qalqilya, and preparing and authorizing plans for rural and urban localities in area C in the WB. The author is an urban planner; he led the counter planning

process in Area C for more than 70 plans between the years 2009–2017. The paper is also based on the methodology of the "researcher as actor and active planner" [1].

The paper begins with the theoretical framework, followed by a definition of the levels of planning siege that limit urbanization by bordering, de-bordering and re-bordering using restrictive statutory planning [2], [3]. The third part of the paper discusses the case of the planning siege of Qalqilya. The paper presents the results and implication of the planning siege on Palestinian false urbanization.

2 THEORETICAL FRAMEWORK

Spatial planning is part of an official public policy intervention to direct development and land allocation for building rights. Governmental policies guide land use by bordering, de-bordering and re-bordering an area, which could be developed, and enable urban sprawl. Official restrictive planning is administrative bordering, which determines the extent of border development. Within that border, development could be made possible, and beyond the border, development is confined or even prohibited. Spatial planning articulated the power relations, ideology and hegemony of the military governor under colonial conditions. Spatial planning transposes these relations, particularly in a situation of conflict, over land ownership and allocation. Official planning in a geopolitical conflict is therefore not a neutral tool or mechanism. The planning goals, scales, process and output are affected by the hegemony's ideology, strategies and polices of bordering and enabling development. Planning can be implemented in the national, regional and local levels to serve the polices and interests of the controlling power. The planning siege is a mechanism used by occupiers and colonial powers to officially control development, contrary to the needs of localities.

Israel occupied PT in the wake of the 1967 war. Since then, it administrates all planning policy of the territories under occupation [4]. Its policies restrict Palestinian urban and rural development, while promoting and enabling Israeli colonial expansion to achieve territorial and demographic control [5]. Under Israeli colonial rule about 150 Israeli rural and urban settlements were established and developed. An estimated 617,000 Israeli settlers were assessed in 2016, comprising about 21.3% of the WB population, including East Jerusalem [6]. These settlers numbered about 190,000 in 1988.

Current geopolitical/jurisdictional division is limited to the PT occupied in 1967. The division of PT is a result of peace talks and interim agreements between Palestinian and Israeli leaders, which began officially after the signing of the Oslo Agreements in 1993. The WB and GS were divided into three jurisdictional Areas: A, B, and C. This division was created in 1995 under the Oslo II Agreement. Area A is comprised of urban centres only. These areas are under the Palestinian National Authority (PNA) administrative and internal security responsibility and constitute about 18% of the West Bank; Area B includes the built-up areas of large Palestinian villages and constitutes 22% of the WB, remaining under Israeli military occupation, with the PNA assuming responsibility for service and civil administration including spatial planning. Area C, constituting about 60% of the WB, remains under full Israeli civil and military administration including spatial planning (see Fig. 1) [7].

Israel has continuously managed to shirk its responsibilities outlined by international laws and conventions. This has created a "luxury occupation", serving primarily Israeli interests, while Palestinians continue to endure the occupation. Concurrently, Israel continues to build and expand its colonies and settlements [8], which enjoy free movement and accessibility, whereas Palestinian movement is constrained, unless Israeli permits are issued. The existing division of the three Areas in the WB creates another level of
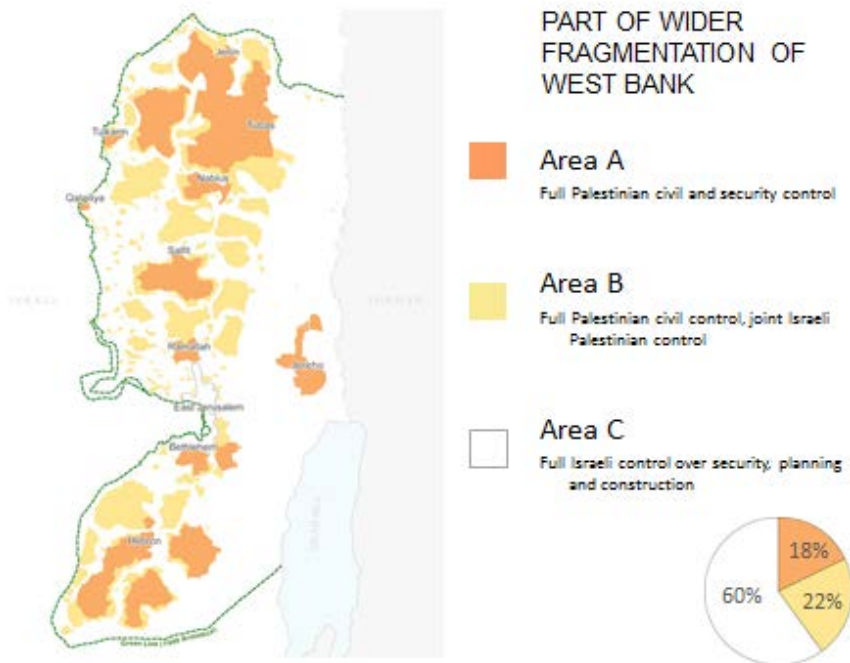
Figure 1:   Fragmentation and division of the West Bank into three geopolitical and administrative areas, to frame and guide the planning siege.

fragmentation in the PT, adding discrimination, bias and injustice to the equation by creating two separate road systems, one used solely by Israelis and the other by Palestinians [9].

Under Israeli occupation, Palestinian communities have faced significant restrictions on both new construction and the utilization of natural resources such as agricultural land. The Israeli planning system, as it is applied, makes it almost impossible for Palestinian communities to obtain building permits in area C, where development has been sharply curtailed.

The geopolitical divisions between two administrative systems in the same country have created two classes of planning. One is "restrictive planning", which aims to impose colonial policies, and the other is "counter development planning", initiated to recognize and protect Palestinian towns and villages in Area C, including Qalqilya, as will be elaborated later. These two planning approaches in the WB will be critically reviewed by examining planning processes and outline plans for Palestinian localities prepared by the Israeli Civil Administration (ICA), planning bordering to siege Palestinian development. This comparison reveals that the (bottom-up) development planning approach is expected to have a more positive impact. The approach of counter planning gives residents a sense of security in their space without any threats from the ICA [10]. Because of the 'illegal' status of localities in Area C, many residents rely on lawyers to freeze demolition orders. Thus, the counter planning approach could be used as a means of defence in court to protect Palestinian houses.

3 PLANNING SIEGE AS A COMPONENT OF THE ISRAELI SOPHISTICATED MATRIX OF CONTROL (SMOC)

To define and discuss the notion of sophisticated matrix of control, one must understand the ideological background, the policies and actions, which the occupation exercises in order to control, monitor and siege the Palestinian collective and individuals. Such control and surveillance have territorial, functional, institutional and behavioural dimensions, which the hegemonic power assumes, subjugating the occupied people. SMOC includes hard and soft components, grouped into at least four categories: 1. Individual/collective status and situation; 2. National, regional and local levels; 3. Land regime/territorial policy including land ownership, land management and spatial planning doctrines, policy and actions; and 4. Local/municipal and institutional rules and jurisdictions.

This SMOC is emerging as part of the uniqueness of Israeli occupation over Palestinian territories to guide the planning siege of Palestinian urbanization. This uniqueness includes:

- Extant and protracted occupation (lasting about fifty years), and a creeping apartheid [11] and control over Palestinian collectives and individuals.
- Mixing religious beliefs with ideological motives, which rely on moral considerations and the narrative that this land belongs to the Israeli occupier.
- Dispute between the Israeli occupying parties (over internal Israeli territorial, demographic and moral issues) and dispute over the future of the occupied territory populated by Palestinians, particularly in Area C.
- Occupation after the division of a small country by outsider powers.
- Two peoples claim the same land as their homeland, under asymmetric conditions of power.
- Bestowing people with a feeling of normality under an abnormal situation and status.
- Separating Palestinians by status based on where they live and according to the division of the territory (Areas A, B and C).
- Building a separation wall by Israel to control Palestinian movement, resulting in the territorial fragmentation implemented by the SMOC.

As part of the SMOC a dual municipal system has been created; the Jewish system, organized in regional or local municipal councils and serving the Israeli settlements, which cover about 70 percent of Area C. They do not serve the Palestinians villages that exist in Area C. Palestinian villages are provided with public services via local village councils. They have developed their own committees that belong to PNA, and they are not recognized by the Israeli occupation. This is part of the Israeli de-facto annexation creating a dual local government for each jurisdiction area in Area C. Such spatial policy is part of the SMOC, which separates the land from its occupants. Palestinians living in Area C belong to and are managed by PNA, while the land including spatial planning belongs to and is managed by the Israeli occupation.

To summarize the main characteristics of the SMOC, it creates a situation whereby the development of target groups in the PT becomes short-lived, non-resilient and unsustainable. It also violates human rights, creates social instability, destroys trust and hinders peace building. The SMOC includes the following components, which have a direct impact on implementing a planning siege for the Palestinian urbanization and ruralisation:

- Community displacement
- Withholding the issuance of building permits

- Controlling water supply
- Precluding land registration and parcelling
- Controlling employment permit distribution
- Limiting accessibility and free movement
- Reducing education and awareness/consciousness of national collectivism
- Changing place names and building narratives on cultural/religious affiliations
- Transformation of heritage

The implications and consequences of the long occupation using the SMOC include:

- Fragmenting Palestinian territory and people
- Creating an apartheid-like system alongside the occupation
- Overlooking international legitimacy and limiting Palestinians' human rights
- Threatening regional stability and the implementation of the two-states solution living side by side in peace
- Perpetuating conflicts and transferring them to the next generations
- Using spatial planning as an instrument for controlling and disabling local development

4 SPATIAL PLANNING AS PART OF THE SMOC

Building permits and micro local statutory planning constitute effective tools in the hand of the Israeli government and its arm, the ICA, to implement macro spatial policies as part of the SMOC. Planning is a public intervention approach to manage resources and achieve goals determined by the representatives of a community. As Alterman and Forester [12] argued, spatial planning is part of and affected by public administration and management. Through spatial statutory planning land resources are allocated, socio-economic development is promoted, and life opportunities are created [13]. The planning process is a tool for community development, and its approach can differ from one place to another, according to context (place, community culture, geopolitical situation and individual status) [14]. Moreover, the planning approach connects these components according to the context of planning in the WB, and there are many kinds of planning approaches due to the varying occupation conditions in the country. Development planning and restrictive planning have different goals and impacts mainly because of the diverse political situation in the country [15].

In 1995, the Israeli and Palestinian governments reached an understanding, based on the Oslo Interim Agreement, whereby Israeli occupation continues to control and manage the planning system and activities in Area C, including Palestinians living in this area [16]. Israel established and upheld the planning system according to the Jordanian Planning and Building Law No. 79 since 1966, and its amendments have been imposed since 1970 by military orders, such as Military Order No 418 [4]. On a different occasion, the Israeli government pledged to the United States not to establish new settlements or expand existing ones, except when imperative due to natural growth. However, since 1993 and to-date the number of Israeli settlers grew from 78,000 to nearly 400,000 after the agreed division (not including East Jerusalem). Moreover, Michael [17] argued that the Oslo process represented the predicament of effective civil–military relations because of geopolitical conflicts between the two countries.

The Palestinians' urbanization in the WB is characterized by a high natural increase. In 2016, the annual population growth was about 2.5% [6, p. 65]. The household size was 4.9

persons. These demographic features require territorial expansion and land allocation for housing, public services and economic development, which were not allocated because of Israel's use of the SMOC, including restrictive planning. The urbanization process includes the Palestinian localities within areas A and B, and their expansion in area C. Suffice it to mention that beside Palestinian growth in area C the planning system is under full authority of the Israeli occupation.

5 QALQILYA UNDER PLANNING SIEGE

Qalqilya is located close to the Green Line, expected to be the border of a Palestinian state [3] and based on the ceasefire line of 1949. In 1948, when the state of Israel was established, Qalqilya was a village numbering approximately 6250 inhabitants, and its Village Land area stood at about 27.4 sq. km. This area was to shrink to 9.8 sq. km by 1949, when most of the village land was appropriated from landowners and included within Israel. The town area continued to shrivel to 8.2 sq. km after Israel's government constructed the separation wall in 2003 surrounding Qalqilya town (see Fig. 2).

The population of Qalqilya expanded and urbanized reaching 41,740 inhabitants by 2007 (see Table 1), while about 70% of village lands were appropriated. Qalqilya transformed into a regional centre serving the rural communities surrounding it. This transformation is part of the changing administrative status of Qalqilya from a governorate centre in 1965, to a municipality. The built-up area expanded on the basis of organic development. The first master plan for Qalqilya was prepared and authorized in 1962. The main housing development conformed to the self-housing system, an approach based on existing private land to build or provide housing. The town began to sprawl from the core to the periphery. Between 1948–1967, Qalqilya was transformed from a town in the centre of Mandatory Palestine to an edge\border town. The occupation of the WB by Israel in 1967 reopened the town as a small functional centre, which contributed to a flourishing economy and rapid urbanization. In December 17, 1995, the Israeli occupation left Area A, which included the planned and built up area of Qalqilya. Area A included about 3.8 sq. km. while the area between Area A and the Separation Wall defined as area C is about 4.6 sq. km. These geopolitical transformations receded Qalqilya back to a border town, enclosed by walls and fences. The development of the town is in decline. The Palestinian Authority along with the municipality began to prepare a master plan in area A, over an area of about 3.8 sq. km., because of prohibited planning in area C, which hardly addresses the urbanization needs of the city.

The population expansion and the rising need to develop the town as an intermediate city and serve its population and that of the governorate of Qalqilya with new and modern facilities, prompted its municipality to prepare a new master plan. The new plan was to provide housing solutions for the projected population of 80,000 inhabitant by 2035, in addition to the functional needs for a modernized urban centre for the governorate of Qalqilya, populated by about 200,000 inhabitants distributed between 15 rural urbanized localities as well as protect homes built by landowners in area C.

The Israeli occupation both maintains the planning authority on area C and is involved in the planning process. In principle, the planning process followed the rational planning process [18] as requested by the ICA planning system. This includes the physical, socio-economic and environmental surveys: defining the problems and limitations, shaping the goals, providing quantitative and qualitative estimation of the planning program, reassigning the program to spatial alternative plans.
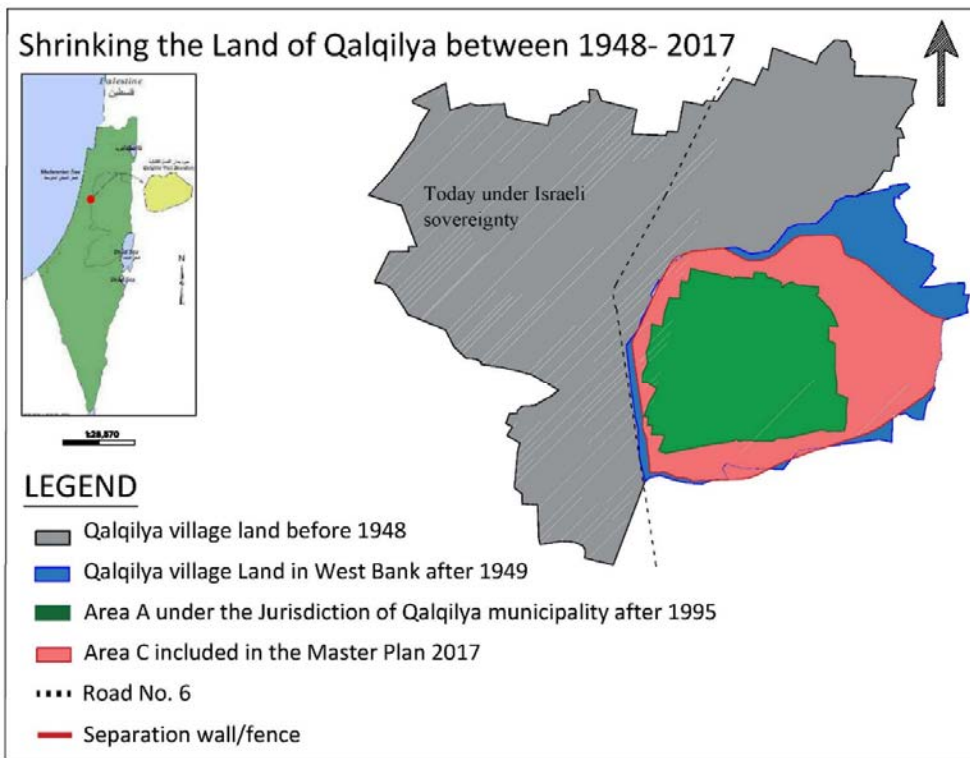
Figure 2:   Reducing the border and area for municipal use and authorizing planning considering the landownership and geopolitical borders.

Table 1: Population growth in Qalqilya, extant and projected, between 2007 and 2035.

Year	Population	Year	Population
2007	41740	2017	53430
2008	42743	2018	54766
2009	43853	2019	56136
2010	44949	2020	57539
2011	46073	2021	58978
2012	47225	2022	60452
2013	48406	2023	61963
2014	49615	2024	63512
2015	50856	2025	65100
2016	52138	2035	80000

Relying on our presentation and discussion of the preliminary planning alternatives, the ICA determines the planning limitations that the master plan of Qalqilya must consider. These include: 1. Enabling development in a 50 meter back set from the Separation Wall, and about 400 meters from the road which serves Israeli settlements in the east. 2. Halting

the development on private land, even as state land is not allocated for Palestinian development (see Fig. 3). 3. Reducing the number of city entrances to one, as part of the control of movement to and from the city. 4. Limiting building height to fewer than four floors. 5. Limiting population growth to natural increase only, without considering emigration into the town. 6. Diminishing the centrality of the town.

These limitations challenge the aspirations and needs of the Palestinians and the municipal policy. The municipality tries to manage the planning process considering these contradictions between Israeli restrictions imposed from the top down, and the local community needs, which are defined from the bottom up. Among the Palestinians, (Qalqilya municipality, community stakeholders, and various official PNA agents involved in the planning process), the ICA limitations spark a serious debate. Some representatives demand a freeze to the planning process, thus defying the limitations and the Israeli occupation. Others hold more pragmatic views, asking for an alternative spatial plan which will address the needs of the city toward 2035 while taking into consideration the impact of these limitations. The pragmatic views try to adopt a professional rather than a political approach.

The professional approach examines planning and development possibilities addressing Palestinian needs, while concurrently challenging and attempting to struggle against the Israeli occupation. By contrast, the political approach sets a precondition of an end to Israeli occupation prior to preparing master plans for the Palestinian localities, included Qalqilya. The political approach maintains that the Israeli occupation places the Palestinians (people and land) under siege, and that the planning siege is an output of this outsider geopolitical siege. It is affected directly by means of the restrictions imposed by the SMOC and cannot meet the Palestinian needs. The professional approach takes into account the implications of the SMOC, and the Palestinian local authorities' need to initiate a master plan in response to urban needs, challenging the long Israeli occupation through spatial planning and civic issues. The debate between the political approach and the professional approach has not ended, but the municipality of Qalqilya decided to proceed with the master plans for expanding the development of the town in area C, ICA limitations notwithstanding, and to debate the authorization of the plan with ICA.

The planning process tries to merge between the political and professional approaches; between the restrictive and the counter development planning approach [15] in order to cope with the planning siege. On the one hand, the plan must determine land use and establish restrictions over land use, which some of the private landowners far from welcome. On the other hand, new private land for development must be allocated, welcomed by the community which stands to benefit from this development. The planning process has witnessed significant internal and external tensions. The process and its output, which includes the plans, are not purely professional activities. Planning is not natural; it is affected by attitudes and stakeholders involved in its making. The planner functions, in the planning process as a moderator, decision-maker and consultant. The planning process need not consider outsider geopolitical limitations; it needs to face socio-cultural and internal challenges within the community. This very complicated situation is part of the character of planning under siege. These characters have different components:

> **Mental**: Mental restriction over what to claim and interweaving between the political and professional approaches. This can be summarized in a single statement by a number of Qalailya residents: "*are you sure that the Israeli occupation will allow us [Palestinians] to plan and develop in area C, and expand the plan of the city?*" This mental preoccupation leads to a decision, among some more pragmatic people, to take whatever the Israeli occupation proposes.
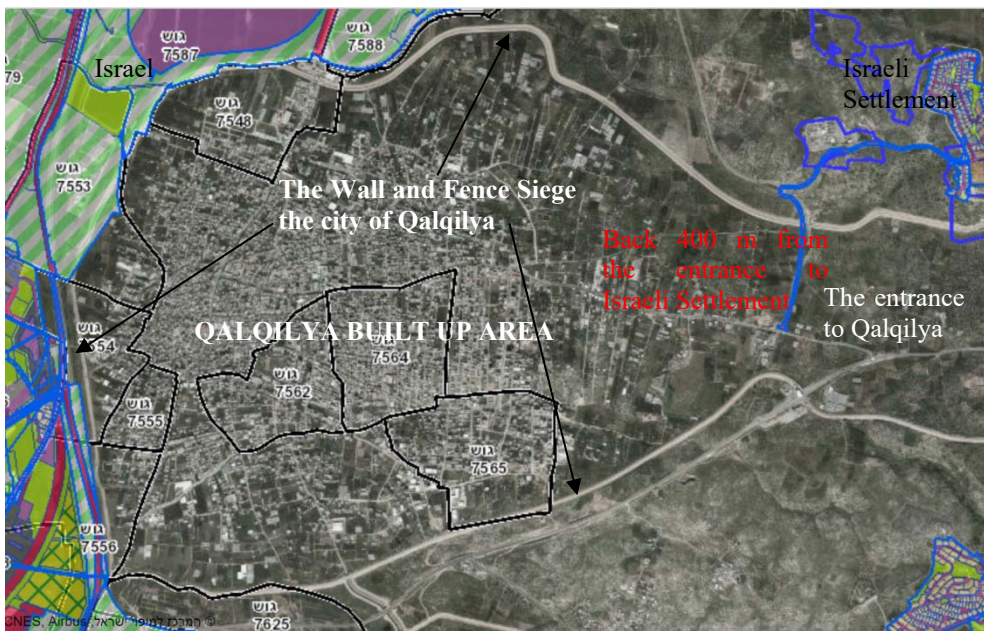
Figure 3:   Israeli planning siege surrounding Qalqilya, including national and regional roads wall and fence limiting Palestinian development while serving and enabling Israel settlements. *(Source: http://www.govmap.gov.il/?c=197918| 677205&z=6&b=1&lay=SUB_GUSH_ALLPARCEL_ALL&ap=1.)*

Territorial: Planning has to consider territorial limitations and determine from the outset the pertinent plan for the territory allocated.

Political: Planning is clearly affected by outsider political stakeholders (such as Israeli settlers, who organized an effective lobby against authorizing the Qalqilya master plan), and by internal local political stakeholders, such as landowners and local parties, who participate in municipal elections. These political impacts create pressure on the planning process and content.

Functional: Planning cannot address all the functions needed in keeping with the outlined goals, because of the territorial limitations. In the context of the Qalqilya plan, for example, the plan did not allocate land for uses such as a sewage station and wastewater treatment, a cemetery and a zoo.

Professional: The professional component includes the production process of the plan, and the authorization of the plan by the professional employees in the ICA planning system. During these processes, planners are affected by previous components which merged into the discourse, the language and the professional considerations.

Despite this complexity, the planning staff produced a final plan (see Fig. 4), which required authorisation by the municipality, in its capacity as a local planning committee, as well as many local stakeholders. This local acceptance is the output of the planning process, which is based on the notion of planning with the community. During this process, the principle of transparency is critical, using face-to-face meetings, and uploading the planning output onto the municipality website with free access for the community.
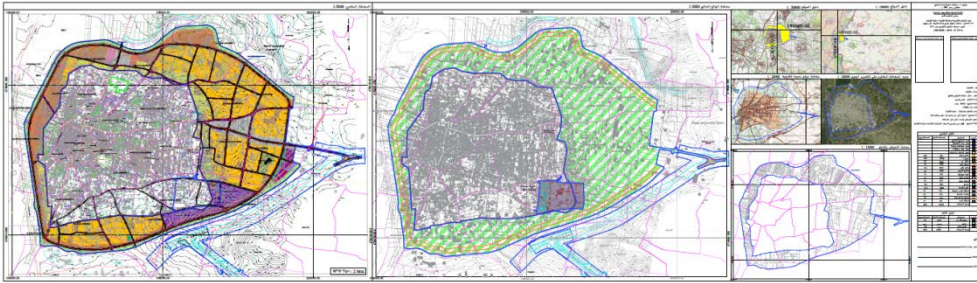
Figure 4:   The proposed master plan for Qalqilya 2017, includes about 4.5 sq. km, accepted by the professional Israeli planning system, but freeze by the Israeli Government. The plan authorized by the ICA for objections and waiting to full and official authorizing.

The master plan of Qalqilya was authorized and set down by the ICA planning system. The plan was published for objections in April 2017 for two months. On May 13, 2017 local elections for the Qalqilya municipality were held. The competition between the candidates surrounded the master plan under discussion. This increased local objections from landowners to 1129, about 65% of those to the roads system, raising claims to reduce the width and location of the roads. 8.5% of the objections related to land use classifications, and the remaining 26.5% of the objections were to the plan regulations. A total of 13 outsider objections came from Israeli settlers. The municipal planning committee began to study and investigate the local objections, while the ICA, received a political directive from the Israeli Cabinet to freeze the objections and proceed with a full and final authorization of the master plan.

6 CONCLUSION

The planning siege used by Israel as part of its ideology and strategy to control Palestinian urbanization includes a three-tier hierarchy. On the national level, the PT is fragmented to areas A, B and C. The Israeli occupation continues to control planning in area C, which limits the necessary expansion of towns and villages. On the district/\regional level, Israeli settlements and their municipal or regional councils are used to serve Israeli settlements, while ignoring Palestinian needs. The regional planning siege uses the British Mandate legacy to restrict and confine Palestinian localities [19], [20]. On the local level, Israel obstructs the authorization of an outline plan intended to expand the planned area for Palestinian urbanization. Parallel to that Israel piles barriers to issuing building permits or land registration. The notion of urban and spatial planning is a positive one to enable sustainable development. Under conditions of a geopolitical conflict, such as exists between Israelis and Palestinians, spatial planning serves as a mechanism to siege development. The siege began with the planning. In this context of demographic, territorial and institutional conflict, planning is used by the hegemonic power to curtail the development and the expansion of an indigenous people.

The case of Qalqilya demonstrates the use of a planning siege. This planning siege determines the limitation and the rules for implementing restrictive planning. This reduces the possibility of development, and accelerates internal competition, particularly between landowners and political interest groups or stakeholders. These local Palestinian stakeholders have diverse attitudes toward planning under occupation. Despite the

municipality of Qalqilya's planning initiative in area C, the Israeli government refuses today to authorize the master plan for its expansion.

It should be pointed out that the professional team of planners support the plan, while the Israeli government is strongly swayed by the powerful lobby of Israeli settlers in the WB. The city continues to expand and urbanize under the national and regional planning siege. This development occurred informally, without plans that enable authorizing the informality. The attempt to alleviate the restrictions of this planning siege, by preparing a local master plan, failed as a result of the extant official planning law and the system, which is still predominantly held by the military governance.

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